

**Amendments to the Drawings:**

The drawing sheet or sheets attached in connection with the above-identified application containing Figures 2 and 3 are being presented as replacement sheets for the previously submitted drawing sheet or sheets. Appended to this amendment is an annotated copy of the previous drawing sheets which have been marked to show changes presented in the replacement sheets.

The specific changes which have been made are the addition of reference numbers 73 and 100 to Figure 2 and the addition of reference number 100 to Figure 3, to bring the drawing into accord with paragraphs [0091] and [0096] of the present application. No new matter has been added.

**REMARKS**

Applicants respectfully request reconsideration of the present application in view of the foregoing amendments and in view of the reasons that follow.

Claims 7, 11, and 33 are currently being amended.

This amendment adds, changes and/or deletes claims in this application. A detailed listing of all claims that are, or were, in the application, irrespective of whether the claim(s) remain under examination in the application, is presented, with an appropriate status identifier.

After amending the claims as set forth above, claims 7-18 and 33 are now pending in this application. Claims 1-6, 19-32, and 34-50 have been withdrawn.

**1. Period for Reply**

Prior to addressing the details of the Office Action, Applicants point out that the Office Action Summary indicates that the period for reply to the Office Action is one month. Applicants submit that the appropriate period for reply for the current non-final Office Action is three months. See MPEP § 710.02(6).

**2. Information Disclosure Statement Filed 05-19-2008**

On page 2 of the Office Action, the Examiner indicated that the Information Disclosure Statement filed 05-19-2008 failed to comply with 37 C.F.R. 1.98(a)(2) because copies of the foreign patent documents and non-patent literature cited had not been provided. The Examiner further indicated the foreign patent documents and non-patent literature submitted with the Information Disclosure Statement had not been considered.

Applicants have confirmed that the Image File Wrapper available on the USPTO PAIR website for the present application includes copies of the foreign patent documents and non-patent literature submitted with the Information Disclosure Statement filed 05-19-2008. Accordingly, Applicants respectfully request that the Examiner consider the foreign patent

documents and non-patent literature submitted with the Information Disclosure Statement filed 05-19-2008, and provide an initialed SB/08 form to Applicants indicating that such references have been considered.

### **3      Objection to the Drawings**

On page 2 of the Office Action, the drawings were objected to. The Examiner stated that the drawings “fail to show ‘the mechanical transmission 100’ (page 14, line 22); ‘slot 73’ (page 15, line 20) as described in the specification.” On page 3 of the Office Action, Figures 2-3 were objected to. The Examiner stated that “‘a slot’ of claim 10 and ‘a position tracking mechanism’ of claim 11 must be shown or the feature(s) cancelled from the claim(s).”

Applicants have provided replacement drawing sheets including amended Figures 2 and 3 to include reference numerals identifying mechanical transmission 100 and slot 73. Claim 11 has been amended to remove the phrase “position tracking mechanism,” and recites a “position sensor,” which is supported by the specification and identified in the drawings. For example, paragraph [0095] of the present application recites that “[a]n encoder or other position sensor can be installed on the motor or on the drive screw 61,” and Figure 2 clearly shows drive screw 61.

Accordingly, withdrawal of the objection to the drawings is respectfully requested.

### **4.      Objection to Claims 7 and 33**

On page 4 of the Office Action, claim 7 and 33 were objected to for formalities. The Examiner indicated that “a recitation ‘for imparting linear, rotary, or combined linear and rotary motion to an elongated device’ is not a positive recitation. . . . Appropriate correction is required.”

Claims 7 has been amended such that the preamble of claim 7 recites “A transmission apparatus comprising:”. Claim 33 has been amended such that the preamble of claim 33 recites

“A method comprising:”. Accordingly, withdrawal of the objection to claims 7 and 33 is respectfully requested.

**5. Rejection of Claim 11 Under 35 U.S.C. § 112 ¶ 1**

On page 4 of the Office Action, claim 11 was rejected under 35 U.S.C. § 112 ¶ 1 as failing to comply with the written description requirement. The Examiner stated that “No where in the Specification discloses that the first drive and the second drive are provided with a position tracking mechanism.”

Claim 11 has been amended to remove the phrase “position tracking mechanism,” and recites a “position sensor,” which is supported by the specification and identified in the drawings. For example, paragraph [0095] of the present application recites that “[a]n encoder or other *position sensor* can be installed on the motor or on the drive screw 61.” Claim 11, as amended, is believed to be in compliance with the written description requirements of 35 U.S.C. § 112 ¶ 1.

Accordingly, withdrawal of the rejection of claim 11 is respectfully requested.

**6. Rejection of Claims 7 and 33 Under 35 U.S.C. § 112 ¶ 2**

On page 4 of the Office Action, claims 7 and 33 were rejected under 35 U.S.C. § 112 ¶ 2 as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The Examiner stated that

The recitation “linear drive” is vague and not consistency name in FIGS. 2-3. Does Applicant mean that the “linear drive” is as holler rollers 83, 84?

Claims 7 and 33 recite the limitation “the elongated devices’ rotation” in lines 7-8. There is insufficient antecedent basis for this limitation in the claim.”

Office Action at p. 4.

With respect to the recitation “linear drive” recited in claim 7, Applicants refer the Examiner to paragraph [0041] of the present application, which states that “the *linear drive comprises two geared rollers*,” and paragraph [0102] , which states that “[r]ollers 83 and 84 hold the guide wire and *drive it linearly*.” In view of this disclosure of the present application, Applicants submit that the recitation of a “linear drive” in claim 7 is definite and compliant with 35 U.S.C. § 112 ¶ 2.

With respect to the recitation of “the elongated device’s rotation,” in claim 7, claim 7 has been amended to recite “an axis of rotation of the elongated device” to provide proper antecedent basis for the claim terms. Claim 33 has been amended in a similar manner.

Accordingly, withdrawal of the rejection of claims 7 and 33 is respectfully requested.

**7. Rejection of Claims 7-18 and 33 Under 35 U.S.C. § 102(b)**

On page 5 of the Office Action, claims 7-18 and 33 were rejected under 35 U.S.C. § 102(b) as being anticipated by Beyar (U.S. Patent No. 6,726,675). The Examiner stated that

Beyar discloses a transmission apparatus comprising” a first and second main gear 66, 66; a linear drive 63, 67; a first and second drive 60, 61; a position tracking mechanism (guide wire 46 or other type of movement sensor, col. 7, lines 5-35); the elongated device is a medical device such as a catheter 26 or a guide wire 46.

Regarding claim 33, it encompasses the same scope of the invention as to that of claims 7 except they are drafted in method format instead of apparatus format. The claim(s) is/are therefore rejected for the same reason as set forth above.

Office Action at p. 5.

Independent claim 7 has been amended and recites a combination including, among other limitations,

*a first main gear* rotationally attached to a support and capable of being driven by a first drive; [and]

*a second main gear coaxially and rotationally attached to the first main gear, the second main gear geared to a roller drive gear and capable of being driven by a second drive.*

Beyar does not disclose a first main gear and a second main gear “*coaxially and rotationally attached to the first main gear.*” The Examiner stated in the Office Action that Beyar discloses “a first and second main gear 66, 66.” Office Action at p. 5. Figure 3 of Beyar shows a single wheel 66. Applicants assume that the Examiner intended to identify wheels 62, 66 of Beyar in the Office Action. See col. 6, lines 47-50. However, neither of wheels 62, 66 is coaxially attached to the other, as recited in claim 7. Rather, as shown in Figure 3 of Beyar, wheels 62, 66 of Beyar rotate about separate and unique axes. Applicants have found no portion of Beyar that discloses the subject matter of claim 7.

Independent claim 33 recites a combination including, among other limitations,

*rotating a first main gear rotationally attached to a support and capable of being driven by a first drive; [and]*

*rotating a second main gear coaxially and rotationally attached to the first main gear, the second main gear geared to a roller drive gear and capable of being driven by a second drive.*

Claim 33 is believed to be patentable over Beyar for at least the same reasons that claim 7 is patentable.

Accordingly, withdrawal of the rejection of independent claims 7 and 33, and corresponding dependent claims 8-18, is respectfully requested.

## **8. Conclusion**

Applicants believe that the present application is now in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicants hereby petition for such extension under 37 C.F.R. §1.136 and authorize payment of any such extensions fees to Deposit Account No. 19-0741.

Respectfully submitted,

Date       /07-08-2008/      

By       /Matthew J. Swietlik/      

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